

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

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| WASHINGTON UTILITIES AND |) | DOCKET TV-071125 |
| TRANSPORTATION COMMISSION, |) | |
| |) | |
| Complainant, |) | ORDER 03 |
| |) | |
| v. |) | |
| |) | ORDER ON DISCOVERY; |
| ALL MY SONS MOVING AND |) | |
| STORAGE OF SEATTLE, INC., |) | NOTICE OF AMENDED |
| |) | HEARING SCHEDULE |
| Respondent. |) | |
| |) | |

- 1 **NATURE OF PROCEEDING.** Docket TV-071125 involves a complaint brought by the Washington Utilities and Transportation Commission (Commission) Staff on July 26, 2007, alleging that All My Sons Moving and Storage of Seattle, Inc. (All My Sons), repeatedly violated numerous Commission rules governing household goods carriers, violated tariff provisions, and engaged in unfair and deceptive business practices. Commission Staff has requested that the Commission cancel All My Sons' permit to transport household goods in the State of Washington.
- 2 **DISCOVERY DEADLINES.** As noted in Order 02, the parties jointly requested at a prehearing conference held on October 31, 2007, to invoke the Commission's rule on discovery, WAC 480-07-400(2)(b), subject to terms and conditions that ensured that no party is unduly burdened by commitment of time or expense. On November 8, 2007, the parties jointly submitted a letter proposing a schedule of agreed deadlines governing discovery in this matter. The Commission has reviewed the letter and concurs in the majority of its provisions. Therefore, discovery will proceed pursuant to the Commission's discovery rules, WAC 480-07-400 – 425, modified by the parties' agreements as noted in this Order.
- 3 **DEADLINE FOR PRE-HEARING MOTIONS.** Order 02 requested that the parties propose deadlines for filing and responding to motions in limine or other such prehearing motions. The parties' joint letter did not address this request. Therefore, the Commission now sets the deadlines noted below.

- 4 **AMENDED PROCEDURAL SCHEDULE.** The Commission modifies the previously adopted procedural schedule to account for the terms of discovery agreed to in the parties' joint letter and to add deadlines for pre-hearing motion practice, as needed. The newly added dates and deadlines are set forth below and incorporated into the preexisting procedural schedule in the Appendix attached to this Order.

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| Preliminary Witness Lists (both) | January 9, 2008 |
| Discovery Cutoff (Staff) | January 28, 2008 |
| Discovery Period (All My Sons) | February 9, 2008, through March 19, 2008 |
| Discovery Period (Staff) [shortened response time = 5 business days] | April 1, 2008, through April 15, 2008 |
| Prehearing Motions | April 30, 2008 |
| Responses to Prehearing Motions | May 14, 2008 |
| Replies to Prehearing Motions | May 19, 2008 |
| Submission of Cross- Exam Exhibits (for Pre-Filed Witnesses); Final Witness Lists; and Estimates of Cross-Examination Time Estimates (for All Witnesses) | May 19, 2008 |

In accordance with the agreement contained in their joint letter, each party's pre-filed direct testimony will include a listing of any additional "live" witness(es) the parties anticipate calling at hearing, along with a concise summary of the nature and purpose of each such witness's testimony.

- 5 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

Dated at Olympia, Washington, and effective November 30, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM
Administrative Law Judge

APPENDIX
AMENDED PROCEDURAL SCHEDULE
DOCKET TV-071125

| EVENT | DATE | INTERVAL |
|---|---|--------------------------|
| Prehearing Conference (Initial) | Wednesday, October 31, 2007 | — |
| Preliminary Witness Lists (both) | Wednesday, January 9, 2008 | 70 Days |
| Discovery Cutoff (Staff) | Monday, January 28, 2008 | 19 Days |
| Prefiled Direct Testimony and list of any “live” witnesses (Staff) | Thursday, February 7, 2008 | 10 Days |
| Discovery Period (Respondent) | Friday, February 8, 2008, through Tuesday, March 19, 2008 | 1 Day |
| Prefiled Direct Testimony and list of any “live” witnesses (Resp.) | Monday, March 31, 2008 | 12 Days |
| Discovery Period (Staff) <i>[shortened data request response timing of five (5) business days]</i> | Tuesday, April 1, 2008 through Tuesday, April 15, 2008 | 1 Day |
| Prefiled Rebuttal Testimony (Staff) | Wednesday, April 23, 2008 | 8 Days |
| Prehearing Motions (<i>if needed</i>) | Wednesday, April 30, 2008 | 7 Days |
| Settlement Discussions (parties only) | Week of May 5-9, 2008 | 5 Days |
| Response to Prehearing Motions (<i>if needed</i>) | Wednesday, May 14, 2008 | 14 Days (from filing) |
| Replies to Responses to Prehearing Motions (<i>if needed</i>) | Monday, May 19, 2008 | 5 Days |

| EVENT | DATE | INTERVAL |
|---|---|----------|
| Submission of Cross-Examination Exhibits (for Pre-Filed Witnesses), Final Witness Lists, and Estimates of Cross-Examination Times (for All Witnesses) | Monday, May 19, 2008 | Same |
| Prehearing Conference (Final) <i>(to mark Exhibits and, as needed, to hear argument on motions)</i> | Tuesday, May 20, 2008 | 1 Day |
| Hearing on the Merits | Wednesday through Friday May 28 th thru 30 th , 2008 | 8 Days |